

March 8, 2007

Dear Owner/Manager:

On July 1, 2006, Indiana Code 27-7-3.6 became effective. This new law created a dedicated fund and has provided for the creation of the Title Insurance Division within the Consumer Protection Unit.

The statute further requires the underwriters of title insurance policies to collect a \$5.00 title insurance enforcement fund fee ("the TIEFF") for each policy issued and to remit \$3.00 to the Indiana Department of Insurance ("the Department"). Bulletin 139, signed by the Indiana Insurance Commissioner, Jim Atterholt, effective July 14, 2006, is attached and describes an insurance producer's responsibility to facilitate the prompt transmittal of the TIEFF in a manner consistent with IC 27-7-3.6-7. Failure to transmit these monies could result in a violation of Indiana Code 27-1-15.6-12-(b) (4).

The Title Insurance Division's mission is "*to create a regulatory environment within the title insurance industry that balances the need for vigorous consumer protection with vibrant business competition to provide a healthy marketplace for consumers and industry alike.*" We need your help.

In order to accomplish these goals and as a part of the Department's investigative and examination function, it will begin **examining** the practices and procedures of title insurance agencies pursuant to Indiana Code 27-1-3.1. When an agency is to become the subject of an exam, it will be notified by mail at the last address on file with the Department. Failure to cooperate or comply with an exam subjects the licensee to administrative consequences pursuant to Indiana Code 27-1-15.6-12 or IC 27-1-3.1 *et seq.* The Department anticipates relying on the TIEFF to defray the cost of these examinations.

In an effort to update the Department's information, please fill out the enclosed form and promptly return to the Department.

We look forward to working with you.

Sincerely,

Kathy Carr Hulbert  
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**Please fill out this form and return to the Indiana Department of Insurance**

1. Agency legal name\* \_\_\_\_\_

\* The title agency's legal name is the name listed in the agency license application. The use of an "assumed name" is permitted as long as the agency complies with Indiana Code 27-1-15.6-10, which states:

Before an insurance producer may be business in Indiana under any name other than the producer's legal name, the insurance producer shall notify the Commissioner of the proposed use of the assumed name.

2. Agency assumed name: \_\_\_\_\_

3. Agency address: \_\_\_\_\_

4. Please list the underwriters that the agency is currently associated with:

\_\_\_\_\_  
\_\_\_\_\_

5. Is the agency an affiliated business arrangement (AfBA) as defined by the Real Estate Settlement Procedures Act (RESPA)? \_\_\_\_\_ Yes \_\_\_\_\_ No

RESPA defines as AFBA as:

An arrangement in which (A) a person who is in a position to refer business incident to or part of a real estate settlement service involving a federally related mortgage loan, or an associate of such person, has either an affiliate relationship with or a direct or beneficial ownership interest of more than 1 percent in a provider of settlement services; and (B) either of such persons directly or indirectly refers such business to that provider or affirmatively influences the selection of that provider.

\_\_\_\_\_  
Signature of Officer who has the authority to  
Sign on behalf of the agency

\_\_\_\_\_  
Printed Name

Indiana Department of Insurance  
Attn: Title Insurance Division  
311 W. Washington Street, Suite 300  
Indianapolis, IN 46204